

**FIFTY-SIXTH DAY.**

Senate Chamber,  
Austin, Texas,  
April 7, 1931.

The Senate met at 10:04 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Carl Hardin.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal	Woodward.

Absent—Excused.

Greer.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bill:

By Senators Parr, Hornsby and Woodward:

S. B. No. 585, A bill to be entitled "An Act creating the Board of Mansion Supervisors; providing for its authorities, powers, duties and functions; providing for the appointment, terms of office and compensation of the members thereof; making necessary provisions for the carrying out

of the purposes of this Act; and declaring an emergency."

Read and referred to Committee on State Affairs.

**Senator Excused.**

On motion of Senator Purl, Senator Greer was excused indefinitely on account of illness in his family.

**Senate Bill No. 375.**

The Chair laid before the Senate as special order the following bill:

By Senator Hardin:

S. B. No. 375, A bill to be entitled "An Act creating the Division of Child Welfare in the Board of Control; empowering the Board of Control to employ a Chief and necessary assistants; prescribing qualification to the chief; defining the duty of the division as to defective, illegitimate, dependent, neglected and delinquent children through enforcement of all State laws in regard thereto; vesting authority for payment of all expenses; providing for county welfare boards and describing their duties; outlining said county officers and agencies; describing methods to be employed by Board of Control in importation and exportation of minors, declaring penalty for violation of such provision; providing for licensing, visiting and inspection of individuals, agents and institutions handling children, vesting authority in board as to charter for such purposes; imposing duty on Child Welfare Division as to certain eleemosynary institutions and their policies; declaring children receiving aid through the Board of Control as wards of the State and outlining custody and guardianship of same; saving clause, and declaring an emergency."

The committee amendments were adopted.

The bill was read second time.

Senator Purl sent up the following amendment:

Amend S. B. No. 375 by adding after the word "Appointment," line 62, page 1, the following: "And shall have been a resident of Texas for at least six years before appointment."

PURL.

The amendment was read and adopted.

Senator Purl sent up the following amendment:

Amend S. B. No. 375, page 2, by striking out "\$1,000.00" in line 49 and substituting in lieu thereof "\$10,000.00."

PURL.

Read and adopted.

Senator Martin sent up the following amendment:

Amend S. B. No. 375, Section 6, line 18, by striking out the word and figures 16 and substituting therefor "Thirteen."

MARTIN.

Read and adopted.

Senator Purl sent up the following amendment:

Amend S. B. No. 375 by adding a new section to be known as Sec. 12-a:

Sec. 12-a. No ward of this State shall be committed to a privately owned or operated institution, nor an institution not under control and maintenance of the State of Texas, except with consent of the parents or guardians or the District Judge in whose district the ward resides in case the ward has no parents or guardian.

PURL.

The amendment was read.

Senator Hardin moved to table the amendment. The motion prevailed by the following vote:

Yeas—20.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.

Nays—8.

DeBerry.	Pollard.
Loy.	Purl.
Moore.	Rawlings.
Poage.	Woodruff.

Absent.

Martin.

Absent—Excused.

Gainer. Greer.

The bill was passed to engrossment.

On motion of Senator Hardin, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 375 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—1.

Purl.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—2.

Cunningham. Purl.

Absent—Excused.

Greer.

Bill Signed.

The Chair, President Pro Tem. Carl Hardin, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 368.

**Senate Bill No. 125.**

The Chair laid before the Senate by unanimous consent the following bill:

By Senator Neal:

S. B. No. 125, A bill to be entitled "An Act withdrawing from sale the bed of Caddo Lake and all public and school lands adjacent thereto, preserving the same to public use as a Fish and Game Preserve and a Public Park; authorizing the Chairman of the Fish, Game and Oyster Commission to establish game sanctuaries thereon, not exceeding twenty per cent (20%) of the area of the water of such Lake and its immediate tributaries, and empowering him and his deputies to revoke any hunting licenses granted to persons violating such sanctuaries; also, authorizing the said Chairman of the Fish, Game and Oyster Commission, in conjunction with the State Forester, to investigate the feasibility of acquiring and establishing a game preserve in conjunction with the state forest in the vicinity of such Lake, and declaring an emergency."

The Committee Substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 125 was put on its third reading and final passage, by the following vote:

**Yeas—30.**

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal	Woodward.

Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

**Yeas—30.**

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal	Woodward.

Absent—Excused.

Greer.

**Messages From The House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Report on H. B. No. 368 by a vote of 192 yeas and 1 nay.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. B. No. 294 by a vote of 105 yeas and 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 355, A bill to be entitled "An Act to amend Article 3914, Revised Civil Statutes, 1925, relating to

fees collected by the Secretary of State, and declaring an emergency."

H. B. No. 1002, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Senate Bill No. 585.

The Chair laid before the Senate by unanimous consent the following bill:

By Senators Parr, Hornsby and Woodward:

S. B. No. 585, A bill to be entitled "An Act creating the Board of Mansion Supervision; etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by a two-thirds vote:

The committee report was adopted.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 585 was put on its second reading by the following vote:

#### Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

#### Absent—Excused.

Greer.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 585 was put on its third reading and final passage, by the following vote:

#### Yeas—30.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Patton.
Gainer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Small.
Martin.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.

#### Absent—Excused.

Greer.

Read third time and finally passed by the following vote:

#### Yeas—30.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

#### Absent—Excused.

Greer.

#### Senate Bill No. 102.

The Chair laid before the Senate as special order the following bill:

By Senators Russek and Moore:

S. B. No. 102, A bill to be entitled "An Act to prescribe regulations for the licensing of local recording agents and solicitors to represent insurance companies and insurance carriers in this State, excepting life insurance companies and carriers, providing for issuing of licenses and the conditions under which that may continue in effect; defining local recording agents and solicitors to be licensed; prohibiting the engaging in such insurance business without a license; prohibiting an agent knowingly from granting fire insurance in excess of the value of the subject matter; prohibiting rebating and discrimination; providing penalties for violation of the laws; giving to ag-

grieved parties resort to courts; providing that the law does not apply to certain representatives of admitted and licensed insurance carriers; repealing laws in conflict and declaring an emergency."

The committee amendments were adopted.

The bill was read second time.

Senator Pollard sent up the following amendment:

Amend S. B. No. 102 by striking out the last sentence in Section 3.

**POLLARD.**

The amendment was read.

Senator Moore moved to table the amendment. The motion prevailed.

Senator Pollard sent up the following amendment:

#### **Recess.**

On motion of Senator DeBerry, the Senate, at 12:01 o'clock p. m., recessed until 2 o'clock p. m.

#### **After Recess.**

The Senate met at 2 o'clock p. and was called to order by the President Pro Tem Carl Hardin.

#### **Senate Bill No. 102.**

The question recurred on the pending amendment to S. B. No. 102.

The bill was passed to engrossment.

On motion of Senator Russek the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 102 was put on it third reading and final passage by the following vote:

**Yeas—30.**

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

**Absent—Excused.**

Greer.

Read third time and finally passed by the following vote:

**Yeas—27.**

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Hornsby.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

**Nays—2.**

Holbrook. Woodruff.

**Absent.**

Hopkins.

**Absent—Excused.**

Greer.

#### **Senate Joint Resolution No. 2.**

The Chair laid before the Senate the following resolution:

By Senators Woodul and Williamson:

S. J. R. No. 2, Proposing an amendment to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes for State highway purposes and by adding to Section 49 of said Article a provision enabling the Legislature to provide for the extension of the credit of the State for the purpose of the construction of a system of State highways and reimbursing outlays and assuming obligations made by counties and defining road district of the State thereof.

Senator Woodul sent up the following amendment:

Amend S. J. R. No. 2 by substituting in lieu thereof the following:

#### **A JOINT RESOLUTION**

Proposing amendments to Article 3 of the Constitution of the State of Texas by adding to Section 48 thereof a provision authorizing the levying of taxes for State highway purposes, and by adding to Section 49 said Article 3 a provision enabling the Legislature to pro-

vide for the extension of the credit of the State, for the purposes of the construction of a system of State highways and providing for such extension of credit for reimbursing monies expended and assuming and/or discharging obligations made by counties and defined road district in the construction of a system of State highways by means of a tax on gasoline and all other motor fuels, and applying one-fourth of the tax on the business of selling gasoline or other motor fuels to the Public Free School Fund, and providing that no lien shall ever be created against real or personal property for the purpose of paying the principal or interest of any bonds issued for such purposes and providing that the interest on said bonds shall not exceed four and one-half percent per annum.

Be it resolved by the Legislature of the State of Texas:

Section 1. That two proposed Constitutional Amendments to be known respectively as Amendment No. 1 and Amendment No. 2, be separately submitted to a vote of the people as hereinafter provided.

Sec. 2. Said Amendment No. 1 shall propose that Section 48 of Article 3 of the Constitution of the State of Texas be amended by adding to the end of said section the following::

"For the purpose of constructing and maintaining a system of State highways, providid, however, that for such purpose no property tax of any kind shall ever be levied, assessed or collected on any homes, farms, ranches, or on any other property real or personal, within this State.

Said Amendment No. 1 shall also propose that Section 49 of Article 3 of the Constitution of the State of Texas be amended by adding at the end of said section the following:

"Provided, however, that the credit of the State may be extended for the purpose of raising funds for the construction of a system of State highways and to supplement such funds as may be provided by the Legislature from current sources of revenue, for that purpose; for which purpose One Hundred Million (\$100,000,000) Dollars shall be the total amount of bonds to be issued under this Amendment.

In no event shall the Legislature of Texas authorize the issuance of

bonds or creation of any obligation of any character in excess of the sum of twenty million dollars in any one year for the construction of a system of State highways. Any evidence of indebtedness of any nature whatsoever issued in excess of the sum of twenty million dollars in any one year for construction purposes shall be null and void, and of no force and effect.

Provided, however, no bonds shall be issued, or obligations of any nature whatsoever created unless and except the same shall have been authorized by Act of the Legislature of Texas.

The Legislature is hereby authorized to pass such legislation as is necessary to put this amendment in full force and effect.

And, provided, further, that no bonds issued under the provisions of this Amendment shall draw interest in excess of four and one-half percent per annum, and no such bonds shall be sold for less than par and accrued interest.

And no commission or fee of any kind shall be paid, either directly or indirectly, to any person, persons, form or corporation in connection with the sale of such bonds.

And provided, further, that the Legislature shall not have the power to pledge the faith and credit of this State in excess of One Hundred Million (\$100,000,000.00) Dollars for the purpose as hereinbefore set out in this amendment.

And, provided, further, that the Legislature shall apply the revenues, or so much thereof as may be necessary, arising from occupation, sales, and or other taxes levied on the business of selling gasoline or other substances or agencies, or other sources of power used for propelling motor vehicles, or as fuel for such vehicles, to the payment of the interest, and for the redemption of any bonds issued under the terms hereof; but, it is expressly stipulated and provided herein and hereby that the indebtedness as evidenced by such bonds shall never become a charge against, or lien upon, and no property tax of any kind shall ever be levied, assessed or collected on any homes, farms, ranches, or on any other property real or personal, within this State, to pay interest or principal on any such bonds.

And, provided, further, that one-fourth of the revenues derived from

a tax on the business of selling gasoline or other motor fuels authorized in the foregoing paragraph shall be applied to the public free school fund."

Sec. 3. That said purposed amendment No. 2 shall propose that Section 48 of Article 3 of the Constitution of the State of Texas be amended by adding at the end of said section the following:

"For the purpose of reimbursing monies expended and assuming and or discharging outstanding obligation made by counties and defined road districts of the State the proceeds of which were expended in the construction of roads which are parts of the system of State highways, provided, however, that for such purposes no property tax of any kind shall ever be levied, assessed or collected on any homes, farms, ranches, or on any other property, real or personal, within this State."

Said proposed amendment No. 2 shall also propose that Section 49 of Article 3 of the Constitution of the State of Texas be amended by adding at the end of said section the following:

"Provided, however, that the credit of the State may be extended for the purposes of reimbursing monies expended and assuming and or discharging outstanding obligations made by counties and defined road districts of the State the proceeds of which were expended in the construction of roads which are parts of the system of State highways and to supplement such funds as may be provided by the Legislature from current sources of revenue for such purposes for which purposes One Hundred and Twelve Million (\$112,000,000.00) Dollars shall be the total amount of bonds to be issued under this Amendment and the same shall be issued for the following named purposes:

(a) For reimbursing counties and defined road districts of the State of Texas for monies, exclusive of interest, expended in discharging obligations, the proceeds of which since July 1st, 1917, were expended in the construction of roads, which are parts of the system of State highways.

(b) For assuming and/or discharging obligations made by counties and defined road districts of the State, the proceeds of which since July 1st,

1917 were expended in the construction of roads which are parts of the system of State highways, which obligations so assumed shall be paid as they mature. And One Hundred Million (\$100,000,000.00) Dollars of bonds, or as many thereof as may be required to reimburse, assume and/or discharge said obligations shall be set aside as a reserve for said purposes solely and shall be sold as and when needed for the purpose of reimbursing and assuming and/or discharging said obligations, and the proceeds of said bonds shall be used for any other purposes.

(c) For assuming and/or discharging outstanding road bonds, less legally maintained sinking funds, made by counties and defined road districts of the State, the proceeds of which since the adoption of the Road Bond Act in 1907, page 251, Acts of 1907, and prior to July 1st, 1917, were expended in the construction of roads which are parts of system of State highways. And the sum of Twelve Million (\$12,000,000.00) Dollars of bonds or as many thereof as may be required to assume and/or discharge said bonds shall be set aside as a reserve for said purposes solely and shall be sold as, and when needed for the purposes of assuming and/or discharging said bonds, and the proceeds of said bonds shall not be used for any other purpose.

For the purpose of assuming and/or discharging outstanding road bonds covered by Subsection (c) as above mentioned, all Refunding Bonds shall be assumed and/or discharged on the same basis as if said Refunding Bonds had been issued on the date of the original bonds.

Provided, however, where counties or defined road districts have created obligations, the proceeds of which, since July 1st, 1917, have been expended on designated State highways, and a portion of said obligations have been discharged by said counties or said defined road districts, the full amount of principal so expended for the purpose of retiring said obligations by said counties or said defined road districts, shall be refunded to each county or defined road district as provided in Section (a) hereof, and such refund shall be applied in payment of any other outstanding obligations of said county

or said defined road district, the proceeds of which were expended in the construction of county roads; but in the event that said county or said defined road district shall have no such other outstanding obligations; then the amount of such refund shall be paid into the general road and bridge fund of said county, and expended according to law,—such refunds to be paid in annual installments of one-tenth each year for a period of ten years for the purpose of reducing taxes.

Provided, however, no bonds shall be issued, or obligations of any nature whatsoever created unless and except the same shall have been authorized by Art of the Legislature of Texas.

The Legislature is hereby authorized to pass such legislation as is necessary to put this amendment in full force and effect.

And, provided, further, that no bonds issued under the provisions of this Amendment shall draw interest in excess of four and one-half percent per annum, and no such bonds shall be sold for less than par and accrued interest. And no commission or fee of any kind shall be paid, either directly or indirectly, to any person, persons, firm or corporation in connection with the sale of such bonds.

And, provided further, that the Legislature shall have the power to pledge the faith and credit of this State in excess of One Hundred and Twelve Million (\$112,000,000.00) Dollars, for the purposes as hereinbefore set out in this amendment.

And, provided further, that the Legislature shall apply the revenues, or so much thereof as may be necessary, arising from occupation, sales, and/or other taxes levied on the business of selling gasoline or other substances or agencies or other sources of power used for propelling motor vehicles, or as fuel for such vehicles, to the payment of the interest, and for the redemption of any bonds issued under the terms hereof; but, it is expressly stipulated and provided herein and hereby that the indebtedness as evidenced by such bonds shall never become a charge against or lien upon, and no property tax of any kind shall ever be levied, assessed or collected on any homes, farms, ranches, or on any other prop-

erty, real or personal, within this State, to pay interest or principal on any such bonds.

And, provided further, that one-fourth of the revenues derived from a tax on the business of selling gasoline or other motor fuels authorized in the foregoing paragraph shall be applied to the Public Free School Fund."

Sec. 4. That the foregoing Constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November A. D., 1931, at which all ballots shall have printed thereon the following:

"For the amendment of Section 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for the construction of a system of State highways, providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances, or agencies, or other sources of power used for propelling, or as fuel, for motor vehicles; reserving one-fourth of the tax on the business of selling gasoline, or other motor fuels, to the public free school fund; expressly providing that the indebtedness so created shall never become a charge against, or a lien upon, and no property tax of any kind shall ever be levied, assessed or collected, on any homes, farms, ranches, or on any



other property, real or personal, within this State to pay the interest or principal on such indebtedness."

"For the Amendment of Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for reimbursing monies expended and assuming and/or discharging obligations made by counties and defined road districts of the State in the Construction of a system of State highways providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances, or agencies or other sources of power used for propelling, or as fuel, for motor vehicles; reserving one-fourth of the tax on the business of selling gasoline or other motor fuels to the public free school fund; expressly providing that the indebtedness so created shall never become a charge against, or a lien upon, and no property tax of any kind shall ever be levied, assessed or collected, on any homes, farms, ranches, or on any property, real or personal, within this State to pay the interest or principal on such indebtedness."

"Against the amendment to Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for reimbursing monies expended and assuming and/or discharging obligations made by counties and defined road districts of the State in the construction of a system of State highways, providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances, or agencies, or other sources of power used for propelling, or as fuel for motor vehicles; reserving one-fourth of the tax on the business of selling gasoline or other motor fuels to the public free school fund; expressly providing that the indebtedness so created shall never become a charge against, or a lien upon, and no property tax of any kind shall ever be levied, assessed or collected, on any homes, farms, ranches, or any other property, real or personal, within this State to pay the interest or principal on such indebtedness."

Sec. 5. The Governor of this State is hereby directed to issue the necessary proclamation, ordering an election to determine whether or not

the proposed Constitutional amendments, set forth herein shall be adopted and to have the same published, as required by the Constitution and laws of this State. And the sum of \$5,000.00, or so much thereof as may be necessary, is hereby appropriated from any funds in the State Treasury, not otherwise appropriated, to defray the expenses of printing said proclamation and holding said election.

WOODUL,  
WILLIAMSON,  
WOODWARD,  
BECK.

The amendment was read.

Senator Parrish sent up the following amendments to the amendment:

Amend pending Substitute for Senate Joint Resolution No. 2 by adding after the word "bonds" at the end of Paragraph 3, Page 6, the following:

"Provided further, that in no event shall the amount of money now allotted to the several Counties of Texas out of Motor License fees for the purpose of construction and maintenance of lateral roads of said Counties be reduced; and the Legislature shall provide means and methods for such purposes."

PARRISH,  
DeBERRY.

Read and adopted.

Amend pending Substitute for Senate Joint Resolution No. 2 by adding at the end of Paragraph 4, on Page 3, after the word "bonds," the following:

"Provided further, that in no event shall the amount of money now allotted to the several Counties of Texas out of Motor License fees for the purpose of construction and maintenance of lateral roads of said Counties be reduced; and the Legislature shall provide means and methods for such purposes."

PARRISH,  
DeBERRY.

Read and adopted.

Senator Poage sent up the following amendment to the amendment as amended:

Section 1. That Section 48 of Article 3 of the Constitution of Texas be amended by adding at the end of Section 48 a new provision which shall read as follows:

"The acquisition, construction, improvement, and maintenance of a system of State highways and the reimbursement of counties and/or defined road districts of this State for any outlays and expenditures heretofore made by such counties and/or defined road districts for the acquisition or construction and/or aid in the acquisition or construction of any highway or highways that may now be or may hereafter become a part of the highway system of this State; and such reimbursement may include the payment of any and all bonds and/or warrants heretofore issued by such counties and/or defined road districts for the purposes of acquiring and constructing such highways; but the Legislature shall have no power to levy any taxes for the purpose of reimbursing such counties and/or defined road districts and for paying such bonds and/or warrants save and except a tax on gasoline and other motor fuels and on the occupation of selling gasoline and/or other motor fuels; and providing further that all refunds and payments made under the provisions hereof shall be provided for by the Legislature by general law."

Sec. 2. There shall also be submitted a proposal that Section 48 of Article 3 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Sec. 48. Power to levy taxes. The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the Government, in which may be included the following purposes:

"The payment of all interest upon the bonded debt of the State the erection and repair of Public Buildings; the benefit of the Sinking Fund, which shall not be more than two per centum of the public debt; and for the present floating debt of the State, including matured bonds for the payment of which the Sinking Fund is inadequate; the support of public schools, in which shall be included colleges and universities established by the State, and the maintenance and support of the Agricultural and Mechanical College of Texas; the payment of the cost of assessing and collecting the revenue; and the payment of all officers, agents and employees of the State

Government, and all incidental expenses connected therewith; the support of the Blind Asylum, the Deaf and Dumb Asylum and the Insane Asylum; the State Cemetery and the public grounds of the State; the enforcement of the quarantine regulations of the Coast of the State of Texas.

"A reasonable tax may be levied on gasoline and other motor fuels and a reasonable motor vehicle license fee assessed for the construction and maintenance of a System of State Highways and reimbursing outlays and assuming and/or discharging obligations made by counties and Defined Road Districts therefor; provided, however, that no appropriation shall ever be made from the General Revenues and no other tax of any kind or character shall ever be levied for such purposes. Provided, further, that one-fourth of any revenue derived from gasoline tax shall be applied to the Public Free School Fund. And, provided further, that in no event shall the portion of motor license fees now allocated by Law to the various counties of the State be reduced."

Sec. 3. There shall also be submitted the proposal that Section 49 of Article 3 of the Constitution of the State of Texas be amended so as to hereafter read as follows:

"Sec. 49. When debts may be created. No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue, repel invasion, suppress insurrection, defend the State in War, and pay existing debts. Provided, however, that any indebtedness created to supply casual deficiencies in the revenue shall at no time exceed in the aggregate Two Hundred Thousand (\$200,000.00) Dollars;

"Provided, however, that the credit of the State may be extended for the purpose of raising funds for the construction of a System of State Highways and to supplement such funds as may be provided by the Legislature from current sources of revenue derived from special taxes on gasoline and motive power and from license fees ever assessed and collected for highway construction and to reimburse outlays, and assume and/or discharge obligations made by counties and Defined Road Districts of the State therefor; for the purposes hereinafter named Two Hundred Twelve Million (\$212,000,-

000.00) Dollars shall be the maximum amount of bonds to be issued under this amendment. Of this Two Hundred Twelve Million (\$212,000,000.00) Dollars only One Hundred Million (\$100,000,000.00) Dollars may be used for the construction of a State Highway System; and the One Hundred Twelve Million (\$112,000,000.00) Dollars or so much thereof as may be required, shall be used for the following named purposes:

"(a) For reimbursing counties and Defined Road Districts of the State of Texas for the money expended in discharging obligations, the proceeds of which since July 1, 1917, were expended for the construction of roads, which are parts of the System of State Highways.

"(b) For assuming and/or discharging outstanding obligations made by counties and Defined Road Districts of the State, the proceeds of which since July 1, 1917, were expended in the construction of State Highways, which obligations so assumed be paid as they mature. And one hundred million (\$100,000,000.00) dollars of such bonds, or as many thereof as may be required to reimburse and/or discharge said obligations shall be set aside as a reserve for said purposes solely and shall be sold as and when needed for the purpose of reimbursing and assuming and/or discharging said obligations, and the proceeds of said bonds shall not be used for any other purpose.

"(c) For assuming and/or discharging outstanding Road Bonds less legally maintained Sinking Funds, made by counties and Defined Road Districts of the State, the proceeds of which since the adoption of the road Bond Act in 1907, page 231, Acts of 1907, and prior to July 1, 1917, were expended for the construction of roads which are parts of the System of State Highways. And the sum of Twelve Million (\$12,000,000.00) Dollars of such bonds or as many thereof as may be required to assume and/or discharge said bonds shall be set aside as a reserve for said purposes solely and shall be sold as and when needed for the purpose of assuming and/or discharging said obligations, and the proceeds of said bonds shall not be used for any other purpose.

"For the purpose of assuming and/or discharging outstanding Road

Bonds covered by Subsection (c) as above mentioned, all Refunding Bonds shall be assumed and/or discharged on the same basis as if said Refunding Bonds had been issued on the date of the original bonds.

"Provided, however, where counties or Defined Road District have created obligations, the proceeds of which since July 1, 1917 have been expended on designated State Highways, and a portion of said obligations have been discharged by said counties or said Defined Road Districts, the full amount of principal so expended for the purpose of discharging said obligations by said counties or said Defined Road District, shall be refunded to each county or Defined Road District as provided in Section (a) hereof, and such refund shall be applied in payment of any other outstanding obligations of said county or said Defined Road District, the proceeds of which were expended in the construction of county roads; but in the event that said county or said Defined Road District shall have no such other outstanding obligations, then the amount of said refund shall be paid into the General Road and Bridge Fund of said county, and expended according to Law, such refund to be paid in annual installments of one-tenth each year for a period of ten years for the purpose of reducing taxes.

"In no event shall the Legislature of Texas authorize the issuance of bonds or creation of any obligations of any character in excess of the sum of Twenty Million (\$20,000,000.00) Dollars in any one year for the construction of a System of State Highways, this limitation not to apply to the issuance of bonds for reimbursing outlays and assuming and/or discharging obligations made by counties and Defined Road District of the State for road purposes. Any evidence of indebtedness of any nature whatsoever issued in excess of the sum of Twenty Million (\$20,000,000.00) Dollars in any one year for construction purposes shall be null and void, and of no force and effect.

"Provided, however, no bonds shall be issued, or obligations of any nature whatsoever created unless and except the same shall have been authorized by Act of the Legislature of Texas.

"The Legislature is hereby author-

ized to pass such Legislation as is necessary to put this Amendment in full force and effect.

"And, provided, further, that no bond issued under the provisions of this Amendment shall draw interest in excess of four and one-half per cent per annum, and no such bonds shall be sold for less than par and accrued interest. And no commission or fee of any kind shall be paid, either directly or indirectly, to any person, persons, firm or corporation in connection with the sale of such bonds.

"And, provided, said bonds shall never be sold nor disposed of either directly or indirectly for anything other than for cash.

"And, provided, further, that the Legislature shall not have the power to pledge the faith and credit of this State in excess of the Two Hundred Million (\$200,000,000.00) Dollars, as hereinbefore set out.

"And, provided, further, that the Legislature shall apply the revenues, or so much thereof as may be necessary, arising from occupation, sales and/or other taxes levied on the business of selling gasoline or other substances or agencies, or other sources of power used for propelling motor vehicles, or a fuel for such vehicles, and from motor license fees to the payment of the interest, and for the redemption of any bonds issued under the terms hereof; but, it is expressly stipulated and provided herein and hereby that the indebtedness as evidenced by such bonds shall never become a charge against, or lien upon, and no tax of any kind shall ever be levied, assessed or collected on any homes, farms or ranches, or on other property, real or personal, within this State; and provided, further, that no appropriation shall ever be made from the General Revenue, and no other tax of any kind or character, except as herein provided, shall ever be levied to pay interest or principal on any such bonds.

"And, provided, further, that one-fourth of the revenue derived from taxation authorized in the foregoing paragraph shall be applied to the Public Free School Fund."

Sec. 4. The foregoing constitutional amendments shall be submitted to a vote of the qualified electors of this State on the fourth Saturday in July, 1932, at which all

ballots shall have printed thereon the following:

"For the amendment to the Constitution authorizing the Legislature to impose taxes for the acquisition, construction, improvement, and maintenance, of a system of State highways and to refund to counties and/or defined road districts out of a tax on motor fuels, and the occupation of selling motor fuels, moneys heretofore spent; and to pay off bonds heretofore issued, by said counties and/or defined road district for the benefit of the State highway system."

"Against the amendment to the Constitution authorizing the Legislature to impose taxes for the acquisition, construction, improvement, and maintenance, of a system of State highways and to refund to counties and/or defined road districts out of a tax on motor fuels, and the occupation of selling motor fuels heretofore spent; and to pay off bonds heretofore issued, by said counties and/or defined road district for the benefit of the State highway system."

"For the Amendment to Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for the construction of a system of State Highways, reimbursing outlays and assuming and/or discharging obligations made by counties and Defined Road Districts of the State therefor, providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances or agencies, or other sources of power used in propelling, or as fuel for motor vehicles, reserving one-fourth thereof to the Public Free School Fund; and the assessing of a reasonable motor vehicle license fee; expressly providing that the indebtedness so created shall never become a charge against or a lien upon, and no tax shall be levied, assessed or collected, either directly or indirectly, on any homes, farms, ranches or other real estate, or on any other property of any kind or character, real or personal, within this State, except on gasoline, or other substances or agencies, or other sources of power, used for propelling or as fuel for motor vehicles, and the assessing of a reasonable motor license fee."

"AGAINST the Amendment to Sections 48 and 49 of Article 3 of the Constitution of the State of Texas, providing for the construction of a system of State Highways; reimbursing outlays and assuming and/or discharging obligations made by counties and Defined Road Districts of the State therefor; providing for the extension of the credit of the State therefor, and authorizing the levying and collecting of taxes on the sale of gasoline or other substances or agencies or other sources of power used for propelling, or as fuel for motor vehicles, reserving one-fourth thereof to the Public Free School Fund; and the assessing of a reasonable motor vehicle license fee; expressly providing that the indebtedness so created shall never become a charge against, or a lien upon, and no tax shall levied assessed or collected, either directly or indirectly, on any homes, farms, ranches, or other real estate, or on any other property of any kind or character, real or personal, within this State, except on gasoline or and the assessing of a reasonable motor license fee."

Each voter shall scratch out two of said clause on the ballots, leaving the one expressing his vote on the proposed amendments in such manner as to show which of said pro- other substances or agencies, or other sources of power, used for propelling or as fuel for motor vehicles, posals he favors as a mode of financing a system of public highways in this State, or whether he is opposed to each of them.

Sec. 5. The Governor of the State is hereby directed to issue the necessary proclamation for said election and to have same published as required by the Constitution and the existing laws of the State.

Sec. 6. That the sum of Five Thousand Dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Treasury of the State of Texas not otherwise appropriated to pay the expenses of such publication and election.

The amendment to the amendment, was read and lost by the following vote:

Yeas—8.

Cunningham.	Poage.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	Woodruff.

Nays—21.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Pollard.
DeBerry.	Purl.
Gainer.	Russek.
Holbrook.	Stevenson.
Loy.	Thomason.
Moore.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Present—Not Voting.

Hardin.

Absent—Excused.

Greer.

Senator Woodruff sent up the following amendment to the amendment:

Amend Substitute to C. S. R. to S. J. R. No. 2 by striking out the words:

"Four and one-half per centum," wherever they appear conjointly in the Substitute, and inserting in lieu thereof the following:

"Four per centum," in each instance.

WOODRUFF.

The amendment to the amendment was read and lost by the following vote:

Yeas—12.

Berkeley.	Poage.
Cunningham.	Pollard.
DeBerry.	Purl.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	Woodruff.

Nays—16.

Beck.	Parrish.
Cousins.	Patton.
Gainer.	Russek.
Holbrook.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodul.
Parr.	Woodward.

Present—Not Voting.

Hardin.

Absent.

Loy.

Absent—Excused.

Greer.

Senator Woodruff sent up the following amendment to the amendment:

Amend Substitute to C. S. R. to S. J. R. No. 2 by striking out the words "First Tuesday after the first Monday in November, A. D., 1931," where they appear cojointly in Section 4, page 6, and inserting in lieu thereof the following:  
 "Third Saturday in July, A. D., 1932."

WOODRUFF.

Read and lost by the following vote: :

Yeas—9.

Cunningham.	Poage.
DeBerry.	Pollard.
Hopkins.	Rawlings.
Hornsby.	Woodruff.
Martin.	

Nays—18.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Purl.
Gainer.	Russek.
Loy.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodul.
Parr.	Woodward.

Present—Not Voting.

Hardin.

Absent.

Holbrook. Small.

Absent—Excused.

Greer.

Senator Oneal sent up the following amendment to the amendment:

Amend pending Amendment, Page 4, Line 1, by inserting after the words "Highways" and before the word "provided," the following:  
 "At the time of the adoption hereof."

ONEAL.

Read and adopted.

Senator Woodruff sent up the following amendment to the amendment:

Amend Substitute to C. S. R. to S. J. R. No. 2 by striking out the following language occurring in Paragraph Two of Section Three:

"Any homes, farms, ranches, or on any other property, real or per-

sonal, within this State," and substituting in lieu thereof the following:

"The property exemptions, real and/or personal, referred to in Section 1, 2 and 19 of Article VIII, Section 9 of Article XI, and Sections 28 and 50 of Article XVI, of the Constitution of Texas, for the purposes set forth in this paragraph.

WOODRUFF.

The amendment was read.

Bills Signed.

The Chair, President Pro Tem. Carl Hardin, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bills:

H. B. No. 8. H. B. No. 981.  
 H. B. No. 294.

House Bills Referred.

H. B. No. 355 referred to Committee on State Affairs.

H. B. No. 1002 referred to Committee on Civil Jurisprudence.

Recess.

Senator Pollard moved to recess until 10 o'clock tomorrow morning. The motion carried by the following vote:

Yeas—18.

Beck.	Parrish.
Cousins.	Patton.
Gainer.	Pollard.
Holbrook.	Russek.
Loy.	Stevenson.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodul.
Parr.	Woodward.

Nays—10.

Berkeley.	Poage.
DeBerry.	Purl.
Hopkins.	Rawlings.
Hornsby.	Small.
Martin.	Woodruff.

Present—Not Voting.

Hardin.

Absent.

Cunningham.

Absent—Excused.

Greer.

At 4:56 o'clock p. m., the Senate recessed.

## APPENDIX.

## Petitions and Memorials.

Légation de Grèce  
Washington

No. 621 April 4, 1931.

Hon. Bob Barker,  
Secretary of the Senate,  
Austin, Texas.

Honorable Sir: I have the honor to acknowledge the receipt of your letter of March 27, 1931, as well as a copy of Senate Concurrent Resolution No. 27, unanimously adopted by the Senate and House of Representatives, 42nd Legislature, and, in thanking you most sincerely, I wish to inform you that same will be transmitted to its high destination.

In reiterating my thanks and appreciation, I am

Very sincerely yours,  
CH. SIMOPOULOS,  
Minister of Greece.

## Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 249 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 571 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 60 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 578

carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 188 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 307 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 528 carefully examined and compared and find same correctly engrossed.  
HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 585 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 196 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bill, have had S. B. No. 333 carefully examined and compared

and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 153 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 268 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 4, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 420 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 557 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 505 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 483 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 548 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 1002, A bill to be entitled "An Act to amend Article 1757 and 1846 of the Revised Civil Statutes of Texas 1925 and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 579, A bill to be entitled "An Act providing for the appointment of an Inspector and expert re-builder of pianos and other musical instruments; prescribing the qualifications and duties of said Inspector and expert re-builder; providing for compensation, traveling expenses, and materials; providing for the removal of said inspector and expert re-builder, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BECK, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 583, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the Treasury Department, and authoriz-



ing payment of said claims on the taking effect of this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BECK, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 582, A bill to be entitled "An Act authorizing the State Treasurer to employ four extra clerks instead of three as authorized by House Bill 398, passed at the Regular Session of the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

BECK, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 576, A bill to be entitled "An Act to repeal Chapter 97, Senate Bill No. 18, Acts of the Regular Session of the 41st Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred

S. B. No. 580, A bill to be entitled "An Act to amend Articles 1757 and 1846 of the Revised Civil Statutes of Texas 1925, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 6, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred

S. B. No. 562, A bill to be entitled "An Act authorizing the creation of cemetery corporations for profit, permitting such corporations to create and establish funds for perpetual care and maintenance of such cemeteries; exempting such corporations from the provisions of Title 26 Revised Civil Statutes of 1925 under certain circumstances and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 585, A bill to be entitled "An Act creating the Board of Mansion Supervisors; providing for its authorities, powers, duties and functions; providing for the appointment, terms of office and compensation of the members thereof; making necessary provisions for the carrying out of the purposes of this act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,  
Austin, Texas, April 7, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 240, A bill to be entitled "An Act to amend Article 306, Revised Civil Statutes of Texas, 1925, by adding thereto Sub-divisions A and B requiring bank and trust companies to segregate assets held in a fiduciary capacity from the general assets of the bank, to keep a separate set of books and records showing in detail all transactions engaged in under Article 396, Revised Civil Statutes of Texas, 1925, etc."

Have had the same under con-

sideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 330, A bill to be entitled "An Act providing that the Banking Commissioner in charge of any State bank or bank and trust company for the purpose of liquidation may apply to the District Court in the County in which the bank is situated, if in session, or the Judge thereof, if in vacation, for authority to use the trust funds in his hands belonging to the bank or bank and trust company to redeem any bills receivable pledged, to purchase any prior encumbrance or lien on property upon which said bank or bank and trust company may hold a junior lien, or to purchase such property at any sale thereof made to satisfy such lien, such application to be accompanied by statement of the value of the bills receivable pledged, the amount of the debt for which pledged, etc., and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 324, A bill to be entitled "An Act to amend Section 42, Chapter 61, Acts of the Second Called Session of the Forty-first Legislature of the State of Texas relating to dividends and reserve so as to provide that if the reserve funds shall not equal ten per cent of the outstanding loans at the time of each apportionment of profits, the directors shall, before apportioning the profits, set aside not less than two and one-half percent of the net profits accruing since the last apportionment and continue to do so until said fund shall amount to at least ten percent of the loans in force, and providing

that unimpaired reserve fund or permanent stock shall be construed as a part of the ten percent reserve fund required to be maintained."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 329, A bill to be entitled "An Act to amend Article 465, Chapter 7, Title 16, Revised Civil Statutes of Texas, 1925, relating to dividends and unclaimed deposits remaining in the hands of the Commissioner for six months after order for final distribution, requiring same to be deposited in some State bank to the credit of the Commissioner in trust for the bona fide depositors and creditors of the liquidation, so as to provide that such funds remaining in the hands of the Commissioner after order for final distribution shall be by him deposited in the State Treasury to the credit of the Commissioner in his official name in trust for the bona fide depositors and creditors of the liquidation, and providing for escheat of same if not claimed within seven years after such deposit."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, April 7, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Banking, to whom was referred

S. B. No. 327, A bill to be entitled "An Act to amend Article 454, Chapter 7, Title 16, Revised Civil Statutes of Texas, 1925, providing that the Banking Commissioner of Texas may, under order of the District Court of the County in which the bank being liquidated is situated, if in session, or the judge thereof, if in vacation, sell or compound bad and doubtful debts and sell real or personal property, by adding thereto

a provision authorizing him under like order of said district court, or the judge thereof, to sell and compound and compromise bad and doubtful stockholders assessments, and to sell stockholders assessments, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RUSSEK, Chairman.

## FIFTY-SIXTH DAY

(Continued)

Senate Chamber,  
Austin, Texas,  
Monday, April 8, 1931.

The Senate met at 10 o'clock, a. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar Witt.

### Bill Introduced.

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of general bills during the last 90 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Loy, by request:

S. B. No. 587, A bill to be entitled "An Act amending Article 1582, Chapter 6, Revised Criminal Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction; and declaring an emergency."

Read and referred to the Committee on Labor.

By Senator Loy, by request:

S. B. No. 588, A bill to be entitled "An Act amending Article 5182, Chapter 9, Revised Civil Statutes, 1925, to provide for protection for workmen on buildings, and for temporary floorings in buildings more than three stories in height in the course of construction; and declaring an emergency."

Read and referred to the Committee on Labor.

By Senator Woodruff, by request:

S. B. No. 586, A bill to be entitled "An Act: (1) To amend Section 14 of Chapter of the Acts of the Forty-first Legislature of Texas, Regular Session, and clarifying the intent of said Section 14 as the same would relate to Section 132 of Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session. (2) Defining certain terms used in this Act. (3) Expressing the reasons for the enactment hereof and designating the Statutory Acts to be amended and clarified hereby. (4) To be Section 126 of said Chapter 25 and providing procedures whereby the districts may exercise the right of eminent domain. Also, providing for the organization of Tribunals of original jurisdiction (within the meaning and intent of Section 1 of Article II and Section 1 of Article V of the Constitution of Texas), prescribing the jurisdiction and powers thereof and the manner of procedure therein and thereby: Also, providing for appeals from such Tribunals to the District Court: Also prescribing the matters which may be considered on appeal and providing the procedure to be observed in the District Courts upon a hearing of such appeals. (5) Prescribing the qualifications for the members of said Tribunal, and the manner of their selection and appointment by a District Court. And also providing the manner in which the members of said Tribunal shall qualify and be organized. (6) Prescribing the manner in which proceedings for condemnation may be initiated in said Tribunal: Also, fixing compensation to be paid to the members of said Tribunal. (7) Prescribing the procedure of said Tribunal for proceeding to a final decree of condemnation and fixing the manner and form in which such decree shall be rendered. (8) Prescribing the form for the Notice, or citation, to be given concerning procedures before said Tribunal. (9) Providing for appearance of interested persons, either in person or by Attorney, for the presentation of their claims, together with evidence in argument and support thereof. (10) Providing that after such hearing said Tribunal shall proceed to enter their final decree of condemnation of property.